GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Works Accounts Service – Sri. Pilli Kranthi Kumar, Divisional Accounts Officer, O/o the Executive Engineer, RWS & S, Adilabad Division Trapped on 07.05.2015 (now allotted to Andhra Pradesh) - Treating the period of suspension from 7.5.2015 to 5.5.2016 as Duty - Orders – Issued.

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FINANCE (ADMN.II) DEPARTMENT

G.O.RT.No. 1130 Dated: 09-05-2018

Read the following:

1. Rc.No.66/RCT-KNR/2015, dt:19.05.2015 of the Director General, ACB, Telangana, Hyderabad.
2. DWA Proceeding.No.DWA/TS/Hyd/Sn.I/Admn/EC.1/2015-16/25, dt:25.05.2015 of the Director of Works Accounts, Telangana State, Hyderabad.
3. C.No.66/RCT-KAD/2015, dt: 08.01.2016 of the Director General, ACB, Telangana, Hyderabad.
4. Representation of Sri. Pilli Kranthi Kumar, DAO (U/s) dt:10.03.2016.
5. Govt. Memo. No. 1322/294/WA/Admn.II/2015, dt:07.05.2016 and 09.06.2016.
6. Memo. No. DWA/TS/Hyd/Admn/Sn.I/EC-!/2016-17/138, dt:17.08.2016.
7. Lr.No. JDWA/W&P/KNR/2015-16/154, dt: 24.08.2016 of JDWA, Works & Project, Karimanagar.
8. G.O.Ms.No.238, Finance (Admn.II) Department, Dated:13.12.2016.
9. Representation of Sri. Pilli Kranthi Kumar, DAO, dt:06.12.2017.

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ORDER:

In the reference first read above, the Director General, Anti-Corruption Bureau, Telangana, Hyderabad has informed that the trap laid against Sri. Pilli Kranthi Kumar, Divisional Accounts Officer, O/o the Executive Engineer, RWS & S, Adilabad Division, Adilabad District, on 07.05.2015 and also informed that the Accused Officer was arrested on 07.05.2015 at 14.00 hours and produced before II Addl.Spl. Judge for SPE & ACB Cases, Hyderabad on 08.05.2015 at 12.05 hours and he was remanded to Judicial custody upto 22.05.2015. Thus, it could be seen that the Accused Officer has been in judicial custody exceeding 48 hours. In terms of Rule 8 (2) (a) and Rule 8 (5) of the Andhra Pradesh Civil File No.1322/294/WA/Admn-II/2015 (a) and Rule 8 (5) of the Andhra Pradesh Civil Services (CC&A) Rules, 1991, the Accused Officer is deemed to have been under suspension from the date of his detention.

2. And whereas in the reference second read above, the Director of Works Accounts, Telangana State, Hyderabad, placed Sri. Pilli Kranithi Kumar, DAO (W), Grade.II, Office of the E.E RWS&S Division, Adilabad under suspension from the date of his detention i.e., 07.05.2015.

3. And whereas in the reference third read above, the Director General, Anti-Corruption Bureau, Telangana, Hyderabad has furnished the Final Report to the Government of Telangana and requested for sanction of prosecution as required under section 19 (1) (b) of the Prevention of Corruption Act, 1988 for prosecution of the Accused Officer in the Court of Law.

(Contd----2)

4. And whereas in the reference fourth read above, the Accused Officer has stated that it is clear that there is no pendency of the payment to be made to the complainant. Also, cheque was issued and handed over to the complainant on 27/04/2015 i.e., the same day on which the grant pertaining to the works done by the complainant was received by the office of the Executive Engineer, RWS&S Adilabad, which was in turn deposited by the complainant on 29-04-2015 at SBH, Collectorate branch, Adilabad. Hence pendency of the bill or issuing any cheque from his office does not arise. There was no official favour pending with him pertaining to the complainant. It is clear that the complaint itself can be considered as a false and motivated complaint.

5. And whereas in the reference fifth read above, Government directed the Director of Works Accounts, Andhra Pradesh, Hyderabad to examine the representation of the individual and furnish detailed report in the matter.

6. And whereas in the reference sixth read above, Dr. M. Venkatesh Babu, Joint Director of Works Accounts , Works & Projects, Karimnagar, was appointed as Inquiry Officer by the Director of Works Accounts, Telangana State.

7. And whereas in the reference seventh read above, the Enquiry Officer has submitted his report to the Director of Works Accounts, Telangana State. In that the Inquiry Officer has informed that the entire case and complaint made by Sri Bantu Narayana Reddy, s/o Manikya Reddy (M/s Vinay Drillers) appears to be false and far from truth as it is made after taking full payment of his pending bills on 30.04.2015. The statement of the complainant that the cheque was not issued up to 01.05.2015 is misleading as the complaint was made on 05.05.2015 after a gap of 5 days. Further the allegation that the DAO (W) Gr.II has threatened the complainant that in case of bribe amount is not settled, the DAO (W) Gr.II is going to see that no works are entrusted to him in future appears to be vague. The responsibilities and functions of the DAO (W) Gr.II are well defined vide Para. 89 (a), (b), (c) of AP PW 'A' code that he has no role in either entrustment of works or in delivery of cheques in Division office which are looked after by the Executive authorities and cash section respectively. Hence, by misrepresenting false evidences, the ACB complaint against Sri. Pilli Kranthi Kumar, DAO (W) Gr.II made by Sri. Bantu Narayana Reddy, S/o Manikya Reddy (M/s, Vinay Drillers) deserves to be set aside on the factual evidences of the case verified by the Inquiry Officer.

8. In the reference 8th cited, the issue has been examined and after following all due procedures it was decided that there is no favour pending with the charged officer to be done for a consideration and the request of issue of prosecution order against Sri Pilli Kranithi Kumar, DAO (W), Grade.II, Office of the E.E RWS&S Division, Adilabad, (now allotted to Andhra Pradesh) is a not considered as the cheque (the subject matter of the complaint) was presented and encashed on 30th April 2015 and the complaint is on 5$^{th}$ May 2015. Other allegations are supposed to have happened at a later date. It is not fair to act on such allegations. It does not deserve issuing of prosecution orders.

9. In the reference 9th cited, Sri Kranthi Kumar Pilli, DAO Gr.II has represented to exonerate him from the allegation made against him by the ACB authorities, Telangana State and regularize the suspension period (ie 7.5.2015 to 5.5.2016) duly treating the period as on duty, so that he can claim his salary for the suspension period and he can draw his pending annual incremental arrears.

(Contd----3)

10. After careful examination, the Government permits for regularizing the suspension period of Sri. Pilli Kranthi Kumar, Divisional Accounts Officer, from 7.5.2015 to 5.5.2016 shall be treated as duty as per Rule 54-B (3) of A.P. Fundamental Rules.

11. The Director of Works Accounts, A.P., Ibrahimpatnam, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVI CHANDRA
SECRETARY TO GOVERNMENT (R&E)

To
The individual through the Director of Works Accounts,
A.P., Ibrahimpatnam.
The Director of Works Accounts, A.P., Ibrahimpatnam.
The Accountant General, A.P., Hyderabad.
The PAO /DTO/STO concerned.
SF/SCs (Computer No:37745)

//FORWARDED :: BY ORDER//

SECTION OFFICER